

# STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION  
302 W. WASHINGTON STREET, SUITE E-306  
INDIANAPOLIS, INDIANA 46204-2764

<http://www.state.in.us/iurc/>  
Office: (317) 232-2701  
Facsimile: (317) 232-6758

IN THE MATTER OF THE PETITION )  
OF BCN TELECOM, INC. FOR A )  
CERTIFICATE OF TERRITORIAL )  
AUTHORITY TO PROVIDE FACILITIES- )  
BASED, SWITCHED AND DEDICATED, )  
LOCAL EXCHANGE )  
TELECOMMUNICATIONS SERVICES, )  
INCLUDING CALLER ID SERVICES, AND )  
RESOLD LOCAL EXCHANGE )  
TELECOMMUNICATIONS SERVICES )  
WITHIN THE STATE OF INDIANA, AND )  
FOR AN ORDER BY THE INDIANA )  
UTILITY REGULATORY COMMISSION )  
DECLINING TO EXERCISE ITS )  
JURISDICTION, IN WHOLE OR IN PART, TO )  
THE FULLEST EXTENT ALLOWABLE BY )  
LAW, PURSUANT TO I.C. §8-1-2.6 )

**FILED**

JUL 08 2004

INDIANA UTILITY  
REGULATORY COMMISSION

CAUSE NO. 42678

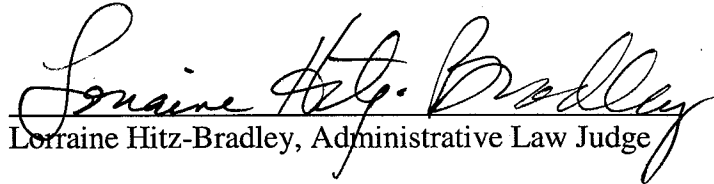
You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

On June 29, 2004 pursuant to 170 I.A.C. 1-1.1-4, BCN Telecom, Inc. ("Petitioner") filed a *Request for Confidential Treatment of Information* ("Request") in this Cause. In its Request, the Petitioner indicates that certain information that it intends to submit in this matter contain trade secrets ("Confidential Information") as that term is defined under Indiana Code 24-2-3-2. Information containing trade secrets is excepted from public disclosure under Indiana Code 5-14-3-4(a)(4). In support of its Motion, the Petitioner includes the sworn *Verification* of William Mulcahy ("Verification"). The Verification has been placed in the Commission's official file in this matter and is hereby incorporated by reference.

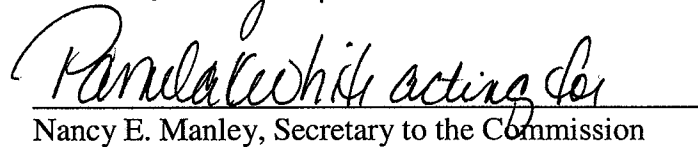
170 I.A.C. 1-1.1-4 governs the submission of confidential or privileged information to the Commission, and requires the applicant to apply for a finding by the Commission that the information is confidential. The application must be accompanied by the sworn statement or testimony of a party that describes: 1) the nature of the confidential information; 2) the reasons why the information should be treated as confidential pursuant to I.C. 8-1-2-29 and I.C. 5-14-3; and, 3) the efforts the party has made to maintain the confidentiality of the information.

The Presiding Officer, having considered Petitioner's Request and accompanying Verification, finds there is sufficient basis for determination that the Confidential Information should be held as confidential by the Commission on a preliminary basis. Accordingly, Petitioner shall hand deliver to the Presiding Administrative Law Judge, in a sealed envelope clearly marked confidential, with the Cause No. noted thereon, the Confidential Information which shall be treated as confidential on a preliminary basis and excepted from public disclosure in accordance with Indiana Code 5-14-3.

**IT IS SO ORDERED.**

  
Lorraine Hitz-Bradley, Administrative Law Judge

Date: July 8, 2004

  
Nancy E. Manley, Secretary to the Commission